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FM AMCONSUL STRASBOURG

TO RUEHC/SECSTATE WASHDC PRIORITY 0204

INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE

RUEHSR/AMCONSUL STRASBOURG 0215

C O N F I D E N T I A L SECTION 01 OF 02 STRASBOURG 000003

SIPDIS

STATE ALSO FOR EUR/ERA EUR/RUS AND EUR/CARC

E.O. 12958: DECL: 2/25/2020

TAGS: PHUM PREL COE BO FR GG RS

SUBJECT: COUNCIL OF EUROPE: APPLAUDING GEORGIA; CONCERN ABOUT BELARUS

REF: STRASBOURG 02

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CLASSIFIED BY: Vincent Carver, CG, Strasbourg, State.

REASON: 1.4 (b), (d)

SUMMARY

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¶1. (C) The Council of Europe (COE) welcomed Georgia's transparency and efforts at political and human rights reforms, although it noted that Tblisi should increase efforts to involve the opposition in the parliamentary process. There is, however, increasing fatigue among member-states when discussing the consequences of the war between Russia and Georgia - in large part because of Russian stonewalling and threats. The Secretary General is exploring a "new approach" to build on the limited common ground between Russia and Georgia. On Belarus, COE member-states noted that Minsk's failure thus far to renew authorization for the COE's "Information Point" office in Minsk and the GOB's recent move against the Union of Poles complicate greater COE-Belarusian engagement. The Swiss reported that their FM may meet Lukashenko today (February 25) in Kiev to discuss these issues. Delegations supported the continued (limited) COE programs concerning Chechnya. End summary

GEOGRAPHY: MUCH PROGRESS, MORE TO DO

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¶2. (U) The COE's Democracy Committee discussed Georgia's fulfillment of its COE obligations, prospects for greater engagement with Belarus, and its program for Chechnya February 25. The Secretariat characterized Georgia's attitude as "open and constructive," and said that Tblisi has made progress in "practically every field." Still, Georgia has not met its commitment of signing and ratifying the COE's Convention on Regional and Minority Languages and constitutional reform is an "ongoing work where the landscape is not always clear." The Secretariat added that a large part of the political opposition is not represented in the parliament and that some in the opposition had presented visiting Secretariat officials with lists of "political prisoners" - their term, not the COE's, he noted.

¶3. (U) Most delegations praised Georgia's transparency and progress in the judicial and anti-corruption fields. Several noted Tblisi's reform efforts continued despite the war with Russia. Russia and Greece were more muted but did agree that Georgia had made progress, although the Russian added that he would like to see how the "so-called legislation on the Occupied Territories" is being adjusted to meet Venice Commission recommendations. The Georgian Ambassador acknowledged that "sporadic problems" remain but stressed that Tblisi has tackled most of its systemic problems. He noted the use of minority languages in education while admitting that Georgia is responsible for signing and ratifying the Convention on Regional

and Minority Languages when possible. He observed that the Georgian Parliament is scheduled February 26 to adopt amendments to its Law on the Occupied Territories in line with Venice Commission recommendations.

COE "FATIGUE" FROM DISCUSSING AUG 2008 CONFLICT

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¶4. (C) Reflecting what several delegations have told us privately is "Georgia Fatigue" from the 18 months of discussion of the consequences of the war between Russia and Georgia (during which the Russians skillfully threatened the end of any cooperation with the COE should Moscow be placed on a par with the "aggressors") the COE Council of Ministers' Deputies (resident ambassadors) February 24 voiced informal support for the Secretary General's "new approach" to find common ground among the parties to the conflict. The Georgian Ambassador reviewed a lengthy list of COE documents and decisions calling for the review of both Georgia's and Russia's COE commitments. The Russian Ambassador, noting his consistent position, appealed to all "to stop participating in endless discussions initiated by Georgia" and start thinking of the what the COE can do constructively in the conflict zone. The EU welcomed Georgia's "Engagement through Cooperation" initiative for the breakaway territories (REFTEL) and reiterated strong support for Georgian's territorial integrity and sovereignty. Many delegations echoed the EU Ambassador.

BELARUS: STEPS FORWARD AND BACK

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¶5. (U) The Secretariat noted that it is still waiting for Minsk to renew the authorization for the COE's "Information Point" office in Minsk to operate - the current authorization expires in mid-March. The Secretariat observed that a seminar on COE values, held in Minsk with Swedish assistance, attracted a wide range of participation from ministries, the parliament, and others. Switzerland noted that Swiss FM Calmy-Rey, as Chair of the COE's Council of Ministers, met Belarusian FM Martynov on

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the margins of the Wehrkunde in Munich. Calmy-Rey emphasized to her Belarusian counterpart the need for Minsk to renew the Information Point's authorization, to issue a moratorium on the death penalty, to ensure freedom of the media, and to open the political scene to the opposition - "The ball," the Swiss FM reportedly told her counterpart, "is in Belarus' court." The Swiss Delegation noted that Martynov had claimed that Minsk is working on such issues but that the population continues to support the use of the death penalty; in any case, there are only "a few" executions every year. He also agreed that a limited number of opposition members could attend the April session of the COE's Parliamentary Assembly, but only as guests seated in the public gallery. The Swiss also noted that Calmy-Rey might meet Lukashenko in Kiev later that (February 25) day to make similar points.

¶6. (U) The Polish Delegation stressed that it had always supported COE-Belarusian rapprochement, but that Warsaw does not see progress on the human rights front by Minsk. Lithuania agreed and said that Belarus must demonstrate some progress before the COE considers further cooperation. Russia, however, noted that it has no difficulty with Belarus' accession to the Convention Against Trafficking in Human Beings. The Secretariat noted that any accession would be problematic given the Belarusian response February 24 to the COE that it would not extend privileges and immunities to Belarusian national experts who would be members of a COE expert group. Belarus also wants to reserve the right to renounce any agreement it makes in connection with its possible accession to the Convention while remaining a party to the Convention. Both the Secretariat and the Irish Chair of the Democracy Committee suggested a "wait and see" approach.

¶7. (C) The Irish Ambassador told us privately February 25 that, while Belarus has not made much progress on human rights, "It is

in a bubble, with many wanting to burst out." She added that the COE is one of several international organizations seeking to increase engagement with both civil society and the working-level of the GOB.

COE PROGRAMS ON, BUT NOT IN, CHECHNYA

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¶8. (U) The Secretariat and Russian Delegation praised the COE's (limited - under 300,000 Euros) programs for Chechnya. Several delegations observed that the programs are largely educational and awareness-raising and are not held inside the Chechen Republic. The UK Ambassador called for more concrete programs, including action plans, on democracy. Germany called for the broadening of the program to cover Dagestan and Ingushetia. Lithuania asked about involvement of NGOs, such as Memorial, that are not linked to the government in Grozny. The Secretariat replied to some of the pointes by noting that Russian Ombudsman Lukin viewed seminars held outside Chechnya as opportunities to broaden the horizons of some of the Chechen participants. That said, the Secretariat added that the improved security situation in Chechnya could mean holding programs "closer to the region.

CARVER